

APPROVED BY THE STARK  
COUNTY COMMISSIONERS

**STARK COUNTY COMMISSIONERS  
MINUTES**

FERGUSON: \_\_\_\_\_

BERNABEI: \_\_\_\_\_

CREIGHTON: \_\_\_\_\_

CLERK: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

**DATE: WEDNESDAY, MARCH 21, 2012**

**SUBJECT: BOARD MEETING**

**PRESENT: COMMISSIONER TOM BERNABEI, PRESIDENT  
COMMISSIONER JANET CREIGHTON, VICE PRESIDENT  
COMMISSIONER PETER FERGUSON, MEMBER  
MIKE HANKE, COUNTY ADMINISTRATOR  
JEAN YOUNG, CLERK**

**DISTRIBUTION:**  
Journal  
File

Commissioner Bernabei opens the meeting at 1:30 PM.

Recite – Pledge of Allegiance

***AMENDMENTS:***

Mike Hanke- To add an Executive Session with legal counsel for the purpose of a Personnel Issue

Jean Young- To add an Appropriation, Budget Transfers and Journal Entries

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Amendments as submitted.

Motion Carried

***Public Speaks: None***

***Mike Hanke:***

Approve Minutes:  
Board Meeting March 14, 2012

Commissioner Creighton moved, seconded by Commissioner Ferguson to Approve Board Meeting Minutes as submitted.

Motion Carried

Approve Resolution:  
Establishing the Stark County Land Reutilization Corporation, in accordance with Ohio Revised Code Section 5722.02

Commissioner Creighton moved, seconded by Commissioner Ferguson to Approve Resolution as submitted.

Motion Carried

**TAX INCENTIVE REVIEW COUNCIL (TIRC) RECOMMENDATIONS:  
ENTERPRISE ZONE 252C-NORTH CANTON**

**JACKSON TOWNSHIP-(all in Jackson Local School District)**

**GRACO INC. /LIQUID CONTROL CORP. /KIDD DEV. LTD/AKRON-CANTON  
REGIONAL AIRPORT (2006 agreement)  
Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Graco Inc. / Liquid Control Corp. /Kidd Dev. Ltd/ Akron-Canton Airport as submitted.  
Motion Carried

**THE KENAN ADVANTAGE GROUP INC. /NORTH CANTON TRANSFER (2007  
agreement amended 2009 & 2011)  
Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with The Kenan Advantage Group Inc. /North Canton Transfer as submitted.  
Motion Carried

**TAX INCENTIVE REVIEW COUNCIL (TIRC) RECOMMENDATIONS:  
ENTERPRISE ZONE 234C-CANTON TWP**

**CANTON TOWNSHIP-(Canton Local School District)**

**FOUNDATION SYSTEMS/ANTHONY CODISPOTI-(2009 agreement)  
Continue Agreement (However it was suggested the township and the owner exercise an  
amendment clarifying the intent of the employee commitments.)**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Foundation Systems /Anthony Codispoti as submitted.  
Motion Carried

**PLAIN TOWNSHIP-(Canton City and North Canton City S.D.)**

**THAKAR ALUMINUM CORPORATION THAKAR PROPERTIES, LLC (Canton  
City S.D.) (4/2002 agreement, amended 7/2002)-Continue Agreement, contingent upon  
receiving an executed “amended” agreement by Matalco (new owner) within sixty  
(60) days**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with stated contingency with Thakar Aluminum Corporation Thakar Properties, LLC as submitted.  
Motion Carried

**ARTHUR MIDDLETON CAPITAL HOLDINGS, INC & NAPIER OHIO DEVELOPMENT, LLC (fna patenthealth LLC) (North Canton S.D.) - (2005 agreement, amended 2008 and 2010)-**

**Continue Agreement with Condition:** Company is to enter into negotiations with the school district in an attempt to reach a settlement within 90 days.

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Arthur Middleton Capital Holdings, Inc & Napier Ohio Development, LLC with stated condition as submitted.

Motion Carried

**NIMISHILLEN TOWNSHIP –(Louisville City S.D. & S.C.J.V.S.D.)**

**BIERY CHEESE CO. INC. (2003 agreement-amended 2006 & 2010).**

**Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Biery Cheese Co. INC. as submitted.

Motion Carried

**BIERY CHEESE CO. INC. - (2009 agreement)**

**Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Biery Cheese Co. INC. as submitted.

Motion Carried

**PERRY TOWNSHIP**

**(Perry Local, Fairless Local, and S.C.J.V.S.D.)**

**PRECISION COMPONENT INDUSTRIES, LLC & HOLDINGS, LLC-(2004 agreement) Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Precision Component Industries, LLC & Holdings, LLC as submitted.

Motion Carried

**Fairless L.S.D. and S.C.J.V.S.D.)**

**AMERICOLD REALTY TRUST & AMERICOLD LOGISTICS, LLC & PROHECY MASSILLON, LLC (formerly Massillon Management LLC) - (2006 agreement-amended 2008 & 2009)-Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Americold Realty Trust & Americold Logistics, LLC & Prophecy Massillon, LLC as submitted.

Motion Carried

**VILLAGE OF NAVARRE- (Fairless L.S.D. & S.C.J.V.S.D.)**

**ALFRED NICKLES BAKERY, INC. (1998 agreement, amended 2007)**

**Agreement Expired-commitments met**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to accept the expiration with Alfred Nickles Bakery, Inc. as submitted.

Motion Carried

**RC INDUSTRIES, dba MID'S SPAGHETTI SAUCE & RC REALTY, LLC**

**(2005 agreement –amended 2007)**

**Continue Agreement with Condition**:-Submit corrected report (taxes paid & abated)

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with stated condition with RC Industries, dba Mid's Spaghetti Sauce & RC Realty, LLC as submitted.

Motion Carried

**TAX INCENTIVE REVIEW COUNCIL (TIRC) RECOMMENDATIONS:  
ENTERPRISE ZONE 360C-CITY OF CANAL FULTON**

**CITY OF CANAL FULTON**

**(Northwest Local and S.C. Joint Vocational School District)**

**AVALON FOODSERVICE INC. (2002 agreement)**

**Continue Agreement**, with the condition that a corrected report be submitted within 60 days-(new employee payroll)

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with stated condition with Avalon FoodService INC. as submitted.

Motion Carried

**TAX INCENTIVE REVIEW COUNCIL (TIRC) RECOMMENDATIONS-  
COMMUNITY REINVESTMENT AREA (CRA) #07-0001-PLAIN TOWNSHIP 38<sup>TH</sup>  
/BROADMOOR CIRCLE**

**PLAIN TOWNSHIP (North Canton City School District)**

**MEANDER HOSPITALITY GROUP IV.LLC-#151-62988-01 (2007 agreement)  
Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Meander Hospitality Group IV. LLC #151-62988-01 as submitted.  
Motion Carried

**TAX INCENTIVE REVIEW COUNCIL (TIRC) RECOMMENDATIONS:  
ENTERPRISE ZONE 342C-VILLAGE OF BREWSTER**

**VILLAGE OF BREWSTER-(Fairless L.S.D. and S.C.J.V.S.D.)**

**BREWSTER DAIRY, INC.-(1999 agreement)  
Continue Agreement**

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Continue Agreement with Brewster Dairy INC. as submitted.  
Motion Carried

***Jean Young:***

Appropriation:

Auditor:

Fine monies collected by Massillon Municipal Court to be paid to the Stark County Humane Society-\$100.00

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Appropriation as submitted.

Motion Carried

***Amended Agenda Item:***

Appropriation:

EMA:

Grant reimbursement to Massillon Municipal Court, Stark Parks & Plain Twp Fire FY10  
IECGP-\$25,569.24

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Appropriation as presented.

Motion Carried

Budget Transfer:

EMA:

For Knox Box access device-\$1,500.00 from Service to Capital

Sherriff:

For total ID maintenance-\$1,000.00 from Benefits to Service

Prosecutor:

To cover COMCT JE 21157 for Symantic- \$813.26 from Benefits to Supply

Recorder:

Transfer money to cover capital-\$8,000.00 from Service to Capital

Adult Probation:

For printing worksheets- \$1,422.00 from Supply to Service

County Obligations:

Move to dept 32 from dept 35-\$12,171.00 from other/obligation to salary/record center

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Budget Transfers as submitted.

Motion Carried

***Amended Agenda Items:***

Budget Transfer:

Telecommunication:

From Service to Salary \$31,500.00 & Service to Benefits \$13,000.00 Fund: General

Sanitary Engineers:

Funding for sewer P-585 from Capital to Service \$1,676,000.00 Fund: Sewer Revenue

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Budget Transfers as presented.

Motion Carried

***Amended Agenda:***

Prior Year Journal Entries:

Community Development to Auditor: Direct chargeback for 2010 Audit costs to Community Development-\$3,588.00

Sheriff to Sheriff: CCW reimburse thru Dec 2011-\$358.52

Sheriff to Sheriff: CCW reimburse thru Dec 2011-\$1,181.00

Sheriff to Sheriff: CCW reimburse thru Dec 2011-\$127.52

Sheriff to Sheriff: CCW reimburse thru Dec 2011-\$8,435.70

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Prior Year Journal Entries as presented.

Motion Carried

Resolution:

Clerk of Courts:

Adopt a resolution for an agreement for delinquent Debt Collection between the Ohio Attorney General and the Clerk of Courts-No charge to County-10% is added by attorney General when money is collected.

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Resolution as submitted.

Motion Carried

Resolution:

Jobs & Family Services:

Adopt a resolution for an agreement with Forensic Fluids, Inc in Kalamazoo, Michigan to provide drug and alcohol testing services to individuals involved in children services to benefit individuals who have or recently have had involvement with SCJFS Children Services Division Effective 3/15/2012 through 10/31/13 Estimated cost: \$75,000.00 Encumbering \$30,000.00

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Resolution as submitted.

Motion Carried

Requisitions:

Building Inspection:

Yearly membership renewal for Electrical Inspector Ken Nice-Vendor: International Association of Electrical Inspectors-\$102.00 Fund: Building Inspection

Emergency Management:

Membership dues for Rich Weber-Vendor: Northeast Ohio Emergency Management Association-\$10.00 Fund: Emergency Management Preparedness Agency Operation

Job & Family Services:

2012 Membership dues-Vendor: Canton Regional Chamber of Commerce-\$283.00 Fund: Public Assistance

Reimburse CSEA for TAN activities-Vendor: Stark County CSEA-\$300,000.00 Fund: Public Assistance

PASSS-Various Vendors-\$65,000.: Children's Service Levy

***Amended Agenda Item:***

Engineers:

Two (2) Ford Explorer Utility vehicles Vendor: Middletown Ford, Inc, Middletown, OH-\$51,238.00 Fund: Motor Vehicle and Gas Tax State of Ohio Department of Administrative pricing contract No. RS900812

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Requisitions as submitted.

Motion Carried

Travel:

One Job and Family Service employees seeking \$347.95 to attend the PCSAO New Executives Orientation on April 25-26, 2012 in Columbus, OH

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Travel Request as submitted.

Motion Carried

***Rick Flory:***

Final Dedication of Subdivision Plat

Regional Planning:

Lake Cable Section "B-2"

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Final Dedication of Subdivision Plat as submitted.

Motion Carried

Stark County Storm Water Management Program:

Regional Planning:

Annual Report for year ending 12/31/2011

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Stark County Storm Water Management Program Annual Report for 2011 as submitted.

Motion Carried



Drainlayer Licensing:

Sanitary Engineers:

Approval of Contractors for Drainlayer Licensing year commencing March 15, 2012 and ending on the last day of February 2013

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Drainlayer Licensing Request as submitted.

Motion Carried

Connection Charges/Satisfaction of Mortgage Requests:

Sanitary Engineers:

Jesse Haynes and Linda Haynes, for sewer connection charges in the amount of \$1,450.00

Paul L. Bailous, Jr., for sewer connection charges in the amount of \$6,804.16

Michael Kochovski, for sewer connection charges in the amount of \$13,150.39

Gust E Petrakis and Heather k Petrakis, for sewer connection charges in the amount of \$6,732.00

Nicholas Carl Burch, for sewer connection charges in the amount of \$6,804.16

Michael W Miller and Shannon K. Miller Jr., for sewer connection charges in the amount of \$1,650.00

Tracey A Laclair., for sewer connection charges in the amount of \$1,350.00

Otha L Mastin and Mildred O Mastin, for sewer connection charges in the amount of \$868.85

Lea D Taylor, for sewer connection charges in the amount of \$868.85

Marian Beresh, for sewer connection charges in the amount of \$1,650.00

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Connection Charges/Satisfaction of Mortgage Requests as submitted.

Motion Carried

Resolution:

Engineers:

Load limits on County Bridges

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Load Limit Bridges Resolution as submitted.

Motion Carried

Resolution:

Liquor Permit:

Top of the Mark drive thru Inc, 4135 Lincoln St. E Front

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Liquor Permit Resolution as submitted.

Motion Carried

Agreement:

County Oil and Gas Lease:

C&T Energy of East Canton, Inc. /Division Order

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Agreement as submitted.

Motion Carried

Akron-Canton Regional Airport Authority/Termination of Initial Avigation Easement:

Stark State College is requesting the termination and release of the Initial Avigation Easement as consideration for granting of the New Avigation Easement

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Termination as submitted.

Motion Carried

***Marilyn Hoover:***

Change Order:

Engineers:

Approve and sign Change Order No. 3 with Perram Electric, Inc. for the Belden Village Signal System Project to add \$8,543.86 to the original contract amount of \$835,050.00 Total contract amount including change order is \$888,954.72. The total change order amount is \$53,544.72

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Change Order as submitted.

Motion Carried

Release escrow:

Engineers:

Wenger Excavating, Inc \$46,416.41 for the Cleveland Avenue/Mt Pleasant Street Intersection Project

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Release Escrow as submitted.

Motion Carried

Agreement Amendment:

Engineers:

Mill Street Bridge over Nimishillen Creek in the City of Canton

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve ODOT LPA Agreement Amendment as submitted.

Motion Carried

Agreement Revision:

Engineers:

Approve and authorize the President of the Board to sign the ODOT LPA Agreement Revision for the Werner Church Avenue Project in Plain Twp

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve ODOT LPA Agreement Revision as submitted.

Motion Carried

Advertise Bid:

Regional Planning:

Stark County Data Center Chiller Replacement Project

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to Advertise Bid as submitted.

Motion Carried

Agreement:

Regional Planning:

Approve and sign agreement with the Village of Beach City to use NSP funding for the purpose of demolishing non rehabilitated property at 208 Church Avenue North, Beach City, OH

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Agreement as submitted.

Motion Carried

Appropriations:

Family Court:

\$10,000.00 to the 726 Trauma & Loss Grant Fund

\$40,749.68 to the 788 Re-entry Program Grant Fund

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Appropriations as submitted.

Motion Carried

***Mike Hanke for Marsha Cimadevilla:***

Personnel:

Jobs & Family Services:

Discipline of an employee of DJFS

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve Employee Discipline as submitted.

Motion Carried

***Amended Agenda:***

Mike Hanke- Requests an Executive Session with Legal Counsel and Reagan Tetreault, Dog Warden for the purpose of a Personnel Issue.

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to adjourn into Executive Session for purposes of discussing a Personnel Issue with Legal Counsel and Dog Warden, Regan Tetreault at 2:19 PM.

Roll Call: Creighton: Yes. Bernabei: Yes. Ferguson: Yes. Motion Carried

Commissioner Creighton moved, seconded by Commissioner Ferguson to approve to adjourn from Executive Session at 2:33 PM.

Motion Carried.

***Commissioner Comments: None***

Commissioner Creighton moved, seconded by Commissioner Ferguson to adjourn meeting at 2:34 PM.

Motion Carried.

**NOTICE:** Minutes of meetings of the Board of Commissioners are filed as a permanent record in the official journal of the Board of Commissioners. The official record includes originals or copies of all resolutions that are adopted by the Board. This includes resolutions approving the signing of Contractual documents, financial transaction forms and other actions adopted by the Board. Contracts, agreements, leases, purchase orders, personnel actions and other such material referred to in the resolutions are filed by subject in the Administrative Offices and originated departments. The official journals that include, the minutes and related resolutions are available for public inspection in the Administrative Offices of the Commissioners.

Respectfully Submitted,  
Sara Donald

Orig.: Jean Young

Cc: Commissioners